

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 05-583)**

In re Application of: )  
Gicquel, et al. ) Examiner: Gambetta, Kelly M.  
Serial No.: 10/541,970 ) Art Unit: 1792  
Filed: July 11, 2005 ) Confirmation No. 8766  
For: High-Speed Diamond Growth Using A )  
Microwave Plasma In Pulsed Mode )

**REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Refund Section  
Office of Finance/Accounting Division

Dear Sir:

Pursuant to 37 CFR 1.26, Applicants request a refund of the Request for Continued Examination (RCE) of \$810.00 that was paid on August 10, 2009, via Deposit Account No. 13-2490 for this application. The facts surrounding this request are as follows.

- 1) The Office issued a non-final Office action on February 9, 2009.
- 2) On August 10, 2009, the Applicants submitted a response and erroneously submitted RCE materials and paid the RCE fee with the response.
- 3) This request is filed within two years of paying the fee.
- 4) Since the response was filed after the issuance of a non-final Office action, the RCE materials and fee were not necessary.

In light of the above, Applicants request that the RCE fee of **\$810.00** be refunded to McDonnell Boehnen Hulbert & Berghoff LLP 's Deposit Account No. **13-2490**

Respectfully submitted,

Date: November 19, 2009

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